

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GENEVA COLLEGE; WAYNE L. HEPLER;)
THE SENECA HARDWOOD LUMBER)
COMPANY, INC., a Pennsylvania Corporation;)
WLH ENTERPRISES, a Pennsylvania Sole)
Proprietorship of Wayne L. Hepler; and)
CARRIE E. KOLESAR)

Plaintiff,

v.

Case No. 2:12-cv-00207

SYLVIA BURWELL *in her official capacity as*)
Secretary of the United States Department of)
Health and Human Services, HILDA SOLIS)
in her official capacity as Secretary of the)
United States Department of Labor, TIMOTHY)
GEITHNER *in his official capacity as Secretary*)
of the United States Department of the Treasury,)
UNITED STATES DEPARTMENT OF)
HEALTH AND HUMAN SERVICES,)
UNITED STATES DEPARTMENT OF)
LABOR, UNITED STATES DEPARTMENT)
OF THE TREASURY)

PERMANENT INJUNCTION ORDER

AND NOW, this 10th day of October, 2014, upon consideration of the Joint Status Report (ECF No. 124), and the arguments made before the court at the October 10, 2014 status conference, the Supreme Court's decision in Burwell v. Hobby Lobby Stores, Inc., 134 S.Ct. 2751 (2014), and the memorandum opinions and injunction orders previously issued by this court, and all associated briefing and argument,

IT IS HEREBY ORDERED that defendants, their agents, officers, and employees, are PERMANENTLY ENJOINED from pursuing enforcement actions against or imposing any penalties upon Wayne L. Hepler, individually, and in his capacity as sole

proprietor of WLH Enterprises, Carrie E. Kolesar, and The Seneca Hardwood Lumber Company, Inc. (collectively, the “Hepler Plaintiffs”), pursuant to 26 U.S.C. § 4980D and 29 U.S.C. § 1132 as a result of their noncompliance with the requirement that any health insurance plan offered by The Seneca Hardwood Lumber Company, Inc. or WLH Enterprises provide coverage without cost-sharing for “[a]ll Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity,” as required by 42 U.S.C. § 300gg-13(a)(4); Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventative Services Under the Patient Protection and Affordable Care Act, 77 Fed. Ref. 8725-01 at 8725, available at 2012 WL 458620 (Feb. 15, 2012) (incorporating the Guidelines issued by the Health Resources and Services Administration on August 1, 2011, available at www.hrsa.gov/womensguidelines (the “Guidelines”)); 26 C.F.R. § 54-9815-2713(a)(1)(iv); 29 C.F.R. § 2590.715-2713(A)(1)(iv); and 45 C.F.R. § 147.130(a)(1)(iv), as those statutes, rules, regulations, and Guidelines were in effect as of October 10, 2014; and

IT IS FURTHER ORDERED that any petition by the Hepler Plaintiffs for attorneys’ fees or costs shall be filed on or before November 24, 2014. Any response or opposition to such petition shall be filed on or before December 31, 2014.

BY THE COURT:

/s/ Joy Flowers Conti
Joy Flowers Conti
Chief United States District Judge